

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2005/000480

International filing date (day/month/year)
19.01.2005

Priority date (day/month/year)
03.02.2004

International Patent Classification (IPC) or both national classification and IPC
B41M5/00, C01B33/26, C01B33/40

Applicant
EASTMAN KODAK COMPANY

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2005/000480

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-9
	No: Claims	10
Inventive step (IS)	Yes: Claims	1-9
	No: Claims	10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

0. Reference is made to the following documents:

- D4: DATABASE WPI Section Ch, Week 199018 Derwent Publications Ltd., London, GB; Class D15, AN 1990-137299 XP002294743 & KR 8 902 143 B (JONG S) 21 June 1989 (1989-06-21)
- D5: DATABASE WPI Section Ch, Week 197609 Derwent Publications Ltd., London, GB; Class J01, AN 1976-15852X XP002294745 & JP 51 005285 A (TOKICO LTD) 16 January 1976 (1976-01-16)
- D6: DATABASE WPI Section Ch, Week 197609 Derwent Publications Ltd., London, GB; Class A81, AN 1976-15854X XP002294746 & JP 51 005287 A (TOKICO LTD) 16 January 1976 (1976-01-16)
- D7: DATABASE WPI Section Ch, Week 199930 Derwent Publications Ltd., London, GB; Class D15, AN 1999-352568 XP002294747 & JP 11 130422 A (KASSAI KK) 18 May 1999 (1999-05-18)

1. Remarks concerning claims 1-9

Present claims 1-9 seem to fulfill the requirements of article 33 PCT.

2. Remarks concerning claim 10

Documents D4 to D7 disclose methods for modifying the surface of allophane type aluminosilicate particles comprising the step of submitting said particles to an acidic treatment (see D4-D7 the whole documents).

D4 to D7 therefore disclose all the features of present independent claim 10.

The subject matter of present independent claim 10 is therefore not new in view of the disclosure of D4 to D7 and does therefore not fulfill the requirements of article 33(2) PCT.